



500.35669CX1

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

Applicants: Yoshinori NAKAYAMA et al.

Serial No.: 09/379,104

Filed : August 23, 1999

For: SCHEDULE RETRIEVAL METHOD FOR CONTROLLING  
SCHEDULES AND SCHEDULE SERVER APPARATUS  
WITH MULTISTAGEOUS IDLE-TIME RETRIEVAL MEANS

Art Unit: 2764

Examiner: N. Nguyen

7/10  
1-3-01

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AMENDMENT UNDER 37 C.F.R. §1.111

Assistant Commissioner of Patents  
Washington, DC 20231

December 20, 2000

Sir:

In response to the Office Action mailed October 4, 2000  
(Paper No. 5), please amend the above-identified application as  
follows:

IN THE CLAIMS:

Please **cancel claim 7** without prejudice or disclaimer.

REMARKS

Claims 6 and 8-14 are pending. Claim 7 has been cancelled  
without prejudice or disclaimer.

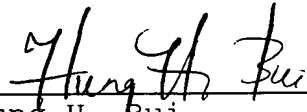
The sole outstanding issue is the rejection of the claims  
under the judicially created doctrine of obviousness-type double-  
patenting as being unpatentable over claims 10-14, 1, 2, and 5,

respectively, of U.S. Patent No. 5,974,394, the parent of the present application. This rejection is rendered moot by virtue of the concurrently filed Terminal Disclaimer. Accordingly, it is respectfully submitted that the present application is in condition for allowance, and early notice thereof is courteously requested. Should any questions remain, however, the Examiner is invited to telephone applicants' attorney at (703) 312-6600.

To the extent necessary, applicants petition for an extension of time under 37 C.F.R. §1.136. Please charge any shortage in fees due in connection with the filing of this paper, including extension of time fees, or credit any overpayment of fees, to the deposit account of Antonelli, Terry, Stout & Kraus, LLP, Deposit Account No. 01-2135 (500.35669CX1).

Respectfully submitted,

ANTONELLI, TERRY, STOUT & KRAUS, LLP

  
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**Filed:** December 20, 2000  
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